

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

BATTLE MOUNTAIN BAND of the TE-)
MOAK TRIBE OF WESTERN SHOSHONE) Case No. 3:16-cv-0268 LRH-WGC
INDIANS,)
Plaintiff,)
v.)
U.S. BUREAU OF LAND MANAGEMENT,)
and JILL SILVEY, in her official capacity as) DEFENDANTS' JOINT MOTION FOR
Bureau of Land Management Elko District) EXTENSION OF TIME
Manager,) AND ORDER THEREON
Defendants,)
and)
CARLIN RESOURCES, LLC,)
Defendant-Intervenor)
and Crossclaimant.)

1 On December 5, 2019, counsel for Defendant-Intervenor/Cross-Claimant Carlin/Hecla
2 (Hecla) and Federal Defendants filed a Joint Case Management Statement (ECF No. 132) setting
3 proposed deadlines for lodging of the administrative record and for summary judgment briefing
4 on Hecla's cross claims in this case brought pursuant to the Administrative Procedure Act, 5
5 U.S.C. § 706 *et seq.* The Joint Case Management Statement indicated that Hecla would file its
6 opening Motion for Summary Judgment on June 1, 2020. However, the parties continue to seek
7 settlement of the claims in this case, which may avoid the need for further proceedings. That
8 process has taken longer than anticipated in light of logistical constraints caused by the COVID-
9 19 pandemic and the unavailability of various participants. However, the parties continue to
10 believe the dispute can be resolved through a stipulated settlement.

11 Thus, Hecla and the Federal Defendants hereby move to extend all the deadlines for
12 summary judgment briefing on Hecla's cross claims in this case by 45 days. The following
13 deadlines would apply:

- 14 1. Helca to File Motion for Summary Judgment: **July 15, 2020**
- 15 2. Federal Defendants to file Cross-Motion for Summary Judgment and Opposition to
16 Hecla's Motion for Summary Judgment: **August 31, 2020**
- 17 3. Hecla to file Opposition to Federal Defendants' Cross-Motion for Summary Judgment
18 and Reply in Support of Hekla's Motion for Summary Judgment: **September 14, 2020**
- 19 4. Federal Defendants to file Reply in Support of their Cross-Motion for Summary
20 Judgment: **October 19, 2020.**

21 DATED this 18 day of May, 2020

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15 *Attorneys for Federal Defendants*

16
17 ORDER

18 IT IS SO ORDERED.

19 DATED this 28th day of May, 2020.

20 
21 LARRY R. HICKS
22 UNITED STATES DISTRICT JUDGE